

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17565 of 2006

25.8.2006

Between:

Mohd. Zama @ Mohd. Chand, S/o.Mohd. Yakub

... Petitioners

AND

The Revenue Divisional Officer, Chevella, Ranga Reddy District

And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.17565 of 2006

ORDER:

This writ petition is filed seeking a direction to the second respondent to dispose of the application made by the petitioner under Section 5A of A.P. Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity) seeking regularization of the transaction covered by an unregistered sale deed executed by one Ali Bin Mohammad. It is also the further case of the petitioner that the Mandal Revenue Officer, Rajendra Nagar Mandal (MRO), conducted enquiry but did not pass final orders.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (General) has obtained instructions in the matter. The factum of the petitioner making application in Form No.X in respect of land is admitted. It is further stated that as per the circular instructions issued by the District Collector vide Ref.No.D1/5291/205, dated 18.11.2006, the records have been sent to the Revenue Divisional Officer, Chevella Division (RDO), for necessary orders. He, however, does not dispute that under Section 5A of the Act, the MRO who is the Recording Authority is duly constituted statutory Authority to decide the application under Section 5A of the Act and that the RDO being an appellate authority under Section 5B or the Joint Collector/District Collector being the revisional Authority have nothing to do at this stage. Therefore, it is a fit case to direct the MRO to pass appropriate orders in the application made by the petitioner under Section 5A of the Act. This exercise may be completed within a period of four (4) weeks from the date of receipt of a copy of this order. It shall also be open to the petitioner to approach the MRO with a copy of this order.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

(V.V.S.RAO,J)

August 25, 2006.

YS